IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Income Tax Appeal No. 221 of 2004

The Commissioner of Income Tax .. Appellant
V/s.
M/s. Prestige HM Poly Containers Ltd. .. Respondent

Mr. A.M. Sethna for the Appellant
None present for the Respondent

CORAM : S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.
DATED : 10.01.2005

P.C.:-

1. Heard the learned counsel for the Appellant. The learned counsel for the Appellant fairly states that the issue involved in the above matter has already been covered by judgment of the Supreme Court reported in **261 ITR 275.** In view thereof, the learned counsel for the Appellant seeks leave to withdraw the Appeal. The Appeal is allowed to be withdrawn. Permissible Court fees be refunded to the Appellant as per rules.

(S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)